

REMARKS

This is in response to an Office Action that was mailed on September 3, 2008. Claims 1-9, 11, 12 and 14-29 were pending in that action. Claims 18-25 were withdrawn from consideration in response to a Restriction Requirement. With the present response, claims 1, 5, 6, 7, 12 and 26 are amended. Claims 2-4, 13 and 18-25 join claim 10 in the canceled category. The remaining claims are unchanged.

Beginning on page 2 of the Office Action, claims 1-9, 11, 12, 14-17 and 26-29 were rejected under 35 USC § 103(a) as being unpatentable over U.S. Patent Publication No. 2002/0023208 (hereinafter referred to as “the Jancula reference”) in view of U.S. Patent Publication No. 2003/0115341 (hereinafter referred to as “the Sinha reference”). For reasons that will be described in detail below, it is respectfully submitted that the pending claims, at least as amended, are patentably distinguishable over the cited references considered independently or in combination.

The primary reference being cited against Applicant’s claims is the Jancula reference. Applicant invites the Examiner to pay close attention to passages of the Jancula reference that describe what processes are occurring where. The systems described in the Jancula reference generally include a customer computer 110, an aggregator website 116 and commerce websites 103 and 104. The key functionality of the Jancula reference generally pertains to the concept of “a ticket” that an aggregator website utilizes to obtain information from the commerce websites on behalf of the user/customer. The ticket is essentially utilized to secure acquisitions of data that occur between the aggregator website and the commerce website. The ticket, which is essentially provided by the customer system, is utilized by the aggregator website but has nothing to do with any communication or service provided by the e-commerce site directly back to the customer/user system. There are some fundamental differences between the scenarios described in the Jancula reference and embodiments described in Applicant’s embodiments as described in the specification as filed. Embodiments of direct communication between two computing devices as described in Applicant’s specification are very much different than the

communication links 122, 123 and 124 described in the Jancula reference. With the present response, Applicant has amended the claims to emphasize some of these differences.

With the present response, independent claim 1 has been amended substantially. For example, Applicant has added the elements of dependent claims 2-4 into the independent claim. But this is not the full extent of the changes that are being made to claim 1. Applicant has gone on to amend the claim to make it very clear that much of the claimed functionality occurs in the context of a single computing device.

In accordance with the changes being made to claim 1, a claimed “first computing device” is responsible for receiving a set of authentication credentials, operating the software application that receives the extended functionality from the service provider, hosting the claimed roll-base determination, and storing the record that is referenced as part of that determination. It is respectfully pointed out that the cited references, considered independently or in combination, fail to teach or suggest a single computing device that manages all of these claimed functions. To the extent that the cited Jancula reference describes or suggests any receipt of authentication credentials, this would mean receipt by the described customer computer 110. Notably, however, the cited Sinha reference does not teach or suggest any local roll-based determination or local storage of a record for supporting such a determination. Instead, the Sinha reference only describes a user system 12 that interacts remotely across a network connection with a separate computing system that is responsible for supporting any such determinations. As is clearly described in Applicant’s specification, there are advantages associated with locally managing the user authentication process. For example, doing it this way eliminates the need to maintain multiple copies of records utilized to support this determination. Also, it eliminates the need to rely on public networks to facilitate the authentication process. For at least these reasons, it is respectfully submitted that independent claim 1 is in allowable form.

Notably, this is not the full extent of the functionality that is assigned to the claimed “first computing device” within the amendments to claim 1. The same first computing device is also now limited to being the source of a transmission of the claimed security certificate

to the claimed service provider. Still further, the claimed step of utilizing the session ticket to secure communications is now limited to utilizing the session ticket to secure “direct communications between the service provider and the first computing device.” Accordingly to Jancula, to the extent that a session ticket is utilized to secure communications, it is utilized to secure communications between commerce websites 103 and aggregator website 116. This is significant because it is inconsistent with the claim element that requires transmission of the security certificate from the first computing device to the service provider. For this additional reason, it is respectfully submitted that claim 1 is in allowable form.

These are just examples of numerous distinguishing features that Applicant has added to claim 1 in order to very clearly distinguish from the cited references. Further, dependent claims 5-9 and 11 are dependent upon independent claim 1 and are believed to be in allowable form at least in light of the same distinguishing characteristics. It is further submitted that at least some of these dependent claims are allowable based on the merit of their own claim limitations. Reconsideration and allowance of claims 1, 5-9 and 11 are respectfully solicited.

With the present response, substantial amendments are also being made to independent claim 12. In particular, Applicant has added the concept of a “first computing device” that is now assigned the claimed functions of receiving a session ticket from the entity, decrypting the session ticket with the private key, and being a participant in authenticated communications with the claimed entity.

A close examination of the cited Jancula reference reveals that there is no one computing device that participates in the numerous functions as claimed. The focus of the Jancula device is secure communications between a commerce website and an aggregator website on behalf of a user of a customer computer. Functionality is distributed within the Jancula system in a manner that creates significant inconsistencies when compared to the elements of claim 12 as amended. For at least these reasons, it is respectfully submitted that independent claim 12 is in allowable form.

Further, dependent claims 14-17 are dependent upon independent claim 12 and are believed to be in allowable form at least for the same reasons discussed above in relation to

that independent claim. Further, it is respectfully submitted that some or all of these dependent claims are patentable based on the merit of their own limitations.

With the present response, Applicant has also significantly amended independent claim 26. As amended, claim 26 now requires that the claimed steps of receiving a security certificate, generating, encrypting, transmitting, and receiving a message all be conducted via processing by the same computing device. For reasons that have been discussed in relation to the other independent claims, it is respectfully submitted that the cited Jancula reference is distinguishable based on its distribution of functionality. For at least this reason, it is respectfully submitted that independent claim 26 is in allowable form.

Dependent claims 27-29 are dependent upon independent claim 26 and are believed to be in allowable form based on the merit of their own limitations and based on the reasons discussed above in relation to their associated independent claim.

For all of the reasons discussed herein, it is respectfully submitted that claims 1, 5-12, 14-17 and 26-29 are in allowable form. Reconsideration of the claims as amended and allowance are respectfully solicited.

The Director is authorized to charge any fee deficiency required by this paper or credit any overpayment to Deposit Account No. 23-1123.

Respectfully submitted,

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